

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

GALO CRUZ,

Plaintiff,

v.

QPP LLC,

Defendant.

Case No. 1:24-cv-06609-VSB-RFT

**WITHDRAWAL OF DEFENDANT'S  
MOTION TO PARTIALLY DISMISS  
PLAINTIFF'S COMPLAINT**

**PLEASE TAKE NOTICE** that Defendant QPP LLC ("Defendant"), through its undersigned counsel, states as follows:

1. On February 21, 2025, Defendant filed a motion to partially dismiss Plaintiff's Complaint (ECF No. 20) (the "Partial Motion to Dismiss"), arguing, *inter alia*, that Defendant's claims for certain alleged violations of the New York Labor Law ("NYLL") should be dismissed for lack of standing.

2. On March 14, 2025, Plaintiff filed a First Amended Complaint (ECF No. 25) (the "Amended Complaint"), wherein Plaintiff included additional allegations of fact related to Plaintiff's injuries sustained as a result of Defendant's violations of the NYLL.

3. Defendant denies that it violated the NYLL, and further denies that Plaintiff suffered any injury-in-fact to the extent any technical violation did occur.

4. Notwithstanding, given Plaintiff filing an Amended Complaint and the deference provided to Plaintiff's pleading pursuant to Fed. R. Civ. P. 12, Defendant hereby WITHDRAWS its Partial Motion to Dismiss (ECF No. 20) without prejudice.

5. Defendant's withdrawal of its Partial Motion to Dismiss should not be construed as any admission that Plaintiff has standing to seek redress in federal court for the claims discussed

in the Partial Motion to Dismiss. Defendant will renew its arguments, if warranted, at a later juncture and procedural posture.

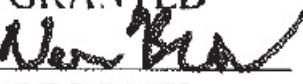
Dated: March 28, 2025

Respectfully submitted,

SAUL EWING LLP  
*Attorneys for Defendant QPP LLC*

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APPLICATION GRANTED  
SO ORDERED   
VERNON S. BRODERICK  
U.S.D.J. 03/31/2025

The Clerk of Court is respectfully directed to terminate the pending motion at Doc. 20.